ALBERT SCHRAMM, W3MIV

8325 Chestnut Farm Lane
Ellicott City MD 21043-3309

Federal Communications Commission

In the matter of: Reply to Comments filed on **RM-11392**
via Electronic Comment Filing System

Wednesday, January 2, 2008

I previously filed a comment in support of this petition, and I now return to the forum to rebut some of the assertions being made in comments against it. In addition to such rebuttals, I offer a suggested compromise that seeks to preserve the important aspects of RM-11392 while satisfying the more beneficial uses of automated WinLink and PacTOR operations.

WINLINK, PACTOR AND EMERGENCY COMMUNICATIONS.

Reading through the many comments being made against this petition, one cannot help but be struck by the numbers asserting that the reduction of maximum bandwidth prayed for will adversely impact Emergency Communications (EmComm) efforts carried out by amateur radio licensees using the WinLink system as part of ARES, RACES or other organized EmComm structures. The clear implication made in many comments is that lives and/or property will be put in jeopardy without the instant availability of the WinLink plant. ***Nothing could be farther from simple truth.***

While WinLink and PacTOR in its various iterations do offer a very effective means of communicating textual messages, including emails, **no serious EmComm system is going to rely upon email or text messages when lives are in peril**. To imply any such thing is not merely an exaggeration: It is grossly dishonest and irresponsible. The beneficial utility of WinLink and PacTOR may be found in the rapid and accurate communications of textual materials such as lists, memoranda, manifests, reports and other important documents for which a clear audit track is a benefit after the event. It is not, however, a system that has value with regard to ameliorating an imminent threat to safety.

This comment is typical:

1. *I oppose the RM-11392 petition!*

2. This petition will greatly reduce the emergency communications support amateur radio operators provide to local, state, regional and federal agencies during disasters and emergencies. PACTOR 3, MT-63 are crucial capabilities in fast and effective communications for emergency management personnel. Using these digital modes, documents, photos, data bases as well as e-mail can be moved with speed and efficiency.

PACTOR 3 and MT-63 are major modes used to interface local/state EOCs and emergency management personnel with the Army MARS system which supports Federal Agencies such as the Transportation Security Administration (TSA).

Another point, approval of this petition would retard or even eliminate the research and development undertaken by the amateur community in advancing communications technologies.

Plenty of spectrum is available under the current FCC provisions.[1]

How the petition "will greatly reduce the emergency communications support" is left wholly to the imagination. There is a reason for that: The commenter has no facts to offer in support, thus seeks to substitute emotion for reason. In fact, this petition will have little or no effect upon emergency communications support that amateur radio operators provide.

The subsequent paragraph discusses Army MARS and its support of federal government agencies. How or why anything whatever to do with MARS operations is going to be impacted by this petition is, again, left to the imagination. It would seem that the commenter either does not know or does not care that Army MARS is a wholly separate operation that does not fall under Part 97 at all.

Finally, one is moved to curiosity as to how a minor reduction in the maximum permissible bandwidth of an extant mode will "retard or even eliminate research and development undertaken by the amateur community." If anything about this petition were to impact R&D efforts, it would seem that it would energize efforts to find better ways to employ narrow-bandwidth systems within the Service.

Such comments are typical of a massive disinformation campaign that has been organized and mounted against this petition as a substitute for the factual support that they cannot muster. More to the point, such a comment calls the commenter's competence, if not his integrity, into question. Much of this "comment campaign" is the result of an effort that cannot be considered

[1] Grant Hays, AAA9O/WB6OTS, *Chief*, Army MARS Operations.

as anything but a concerted program to undermine the integrity of the ECFS with automated "spam.[2]"

Miller's petition will ***not*** eliminate either WinLink or PacTOR; it will merely institute a maximum bandwidth that will be less than the maximum now available to PacTOR at its greatest speed levels. The actual reduction of "throughput" that will result from this lessening of bandwidth is minimal, but the reduction of the potential for interference to other services now sharing the limited spectrum available for automatic operations will more than compensate for this minor inconvenience.

Of additional importance is this petition's clarification that both "automatic operation" and so-called "semi-automatic operation" amount to one and the same thing in practice, and that the definition of "remote control" is distinct and wholly unrelated to the operation of automated stations within the meaning of the Part 97 Rules. An unattended digital station responding to remote interrogation is not under "remote control." All such operations, however initiated, should be sequestered within the sub-bands set aside for such automatic operations, and the 500-Hz exception now available in the Rules should be rescinded.

EXPANSION AND SUB-DIVISION OF THE SUB-BANDS FOR AUTOMATED OPERATIONS.

It has been asserted in many comments that the sub-bands presently set aside for automated operations are too small for the traffic they are currently carrying. There is some truth in this assertion. The part of the declarations that is disingenuous is the emphasis that is being put on EmComm when, in simple fact, the greatest pressure being exerted on these sub-bands is the result of WinLink operations that are carrying personal email traffic. Very little of the growing congestion is due to any EmComm uses whatever.

While I question the content of these emails – especially with regard to the probability that much of this traffic must be freighted with third-party communications that are of highly questionable legality – I believe that both the current traffic problems and the potential for true EmComm needs can be met by a modest alteration of the current sub-bands. If, indeed, all of the assertions made in comments about the danger to emergency communications have any validity whatever, the modest expansion I propose would seem to offer meritorious relief.

By adopting the petition now under consideration as RM-11392, and by simultaneously sub-dividing the current sub-bands into narrow- and wideband corridors of, say, 500Hz and 1.5kHz bandwidth maximums, the

[2] "Hamaction" website, which carries an email address for w2adb@yahoo.com

present conflicts between narrow- and wideband digital operations may be somewhat reduced, if not eliminated altogether.

No less important, since most of the regional EmComm applications involving WinLink on HF will involve the use of NVIS techniques on lower HF frequencies, the present allocations in 80 meters and 40 meters should be expanded modestly to facilitate such increase as may be necessary to meet legitimate concerns on the part of ARES and other EmComm services. At present, the automatic sub-band on 80 meters extends from 3.585MHz to 3.6MHz; reducing the expansion of the recent phone allocation on this band by expanding this allocation upward to 3.61MHz would add additional overhead for EmComm needs and would little impact phone ops. As part of this change, the expanded digital sub-band should be open for Advanced and General licensees, a change from the current Extra-only status of the addition. Similarly, the 40 meter allocation could be opened to 7.1MHz to 7.107MHz. Each of these expanded sub-bands should be divided equally into 500Hz- and 1.5kHz-maximum bandwidth authorizations to minimize the potential for interference between narrow- and wider-band automatic operations.

Due to the very limited applicability of higher HF frequencies for most regional EmComm applications, the higher bands probably would not need to be revised, and I decline to recommend doing so. In these higher HF bands, bands not normally needed for regional EmComm use, the reduction in permitted maximum bandwidth will contribute sufficient leeway since most of the WinLink traffic in these bands is international email forwarding, which is traffic that should enjoy no significant priority over any other uses.

Incorporating this expansion with the provisions of RM-11392 offers a compromise solution that would mitigate most of the legitimate concerns for EmComm uses of the WinLink system on HF during a widespread emergency.

The very simple fact that a large number of comments being mustered against this petition refer to EmComm does not, however, reflect *any real or measurable concern* for EmComm. What these commenters decry is the probability that they will no longer be instantly gratified with a schedule for receiving and transferring their personal emails that they have grown accustomed to. The "threat" to EmComm is a convenient and emotional rationale without a real basis. As the potential for widespread interference on HF increases with the ramping up of the coming solar cycle, the continued transmissions of distant interrogators all seeking to initiate a response from a limited number of PMBOs will likely cause as much havoc to their own system as it would to the present users of other digital systems, narrow or wide. This petition seeks to establish a more prudent use of limited, *shared* spectrum that will result in a fairer distribution when propagation returns HF occupancy to its highest densities. In the final appraisal, reducing the maximum bandwidth to 1.5kHz will prove as much benefit to WinLink users as it will to the rest of the Amateur Radio community.

SIXTY METERS – A LONG-TERM SOLUTION TO THE EMCOMM "DILEMMA"

If the EmComm Amateur Radio Service applications of WinLink and PacTOR III are as important to public safety as the system's most vocal proponents continue to insist, the safest and most secure use of this valuable system in the event of a widespread emergency would be a dedicated channel on 60 meters. Such a channel could be tasked solely for amateur EmComm use, off-limits to any and all other uses. Employed in parallel with the dedicated frequencies reserved for MARS, an EmComm NVIS channel on 60 meters would provide a "safe haven" for WinLink and PacTOR at the highest speed levels available without fear of interference to or from other operations. Free of such competition, the power levels needed for effective use could be sufficiently low to obviate the potential for causing interference to current services on this band. Further, if such a channel were to be established, it could be reserved and available as a preserve in which such currently unacceptable techniques as encryption could be employed in a carefully controlled environment.

I realize that there are administrative difficulties that lie beyond the scope of this petition and the FCC's aegis that must be satisfied to achieve this special channel, both in terms of national and international regulations and agreements; nevertheless, I believe that this is a meritorious route to pursue if the stated goals of EmComm agencies are to be met in a manner that is fully equitable to all other licensed amateur radio operators.

In closing, it bears repeating: ***the Amateur Radio Service occupies shared spectrum***, and its use must be ***fair to all licensees*** pursuing legitimate interests within the Rules. Not simply to one group.

I urge the Commission to reject the falsehoods, exaggerations and unsupported claims being made in comments against this petition and to adopt its contents, including the addition of the modified sub-bands as outlined above, without delay.

I again thank the Commission for the opportunity to make my views on this important matter known.

Albert Schramm, W3MIV